

**UNITED STATES OF AMERICA  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CAROLINE M. MILLER

Case No. 08-13114

Plaintiff,

Honorable Patrick J. Duggan

vs.

R.D. CHERRY, INC., a Michigan corporation,  
and CHERRY OPTICAL, an assumed name for  
R.D. CHERRY, INC., Jointly and Severally,

Defendants.

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**STIPULATION AND ORDER SETTLING  
AND DISMISSING THE CASE**

The above parties hereby stipulate, through their respective undersigned counsel, the above entitled matter has been settled and agree to dismiss the action with prejudice and without costs or attorney fees to either party.

/s/ Joey S. Niskar (With Permission)

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**ORDER**

**IT IS HEREBY ORDERED** the above entitled matter is dismissed with prejudice and without costs or attorney fees to either party.

S/Patrick J. Duggan  
Patrick J. Duggan  
United States District Judge

Dated: September 25, 2009September 25, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 25, 2009September 25, 2009, by electronic and/or ordinary mail.

S/Marilyn Orem  
Case Manager